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March 3, 2016

VIA ELECTRONIC DELIVERY (FCC ECFS)
Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: ***EX PARTE*** **NOTICE**
PS Docket No. 15-91
Improving Wireless Emergency Alerts and Community-Initiated Alerting

Dear Ms. Dortch:

On March 2, 2016, at the request of Public Safety and Homeland Security Bureau ("Bureau") staff, representatives of the Boulder Regional Emergency Telephone Service Authority ("BRETSA") participated in a telephone conference with Commission staff from the Bureau. Participating in the meeting on behalf of the Bureau were James Wiley, Rasoul Safavian, Behzad Ghaffari, Yoon Chang, Lisa Passarella, and Carolyn Shillingburg. Participating in the meeting on behalf of BRETSA were Patti West, 9-1-1 Emergency Communications Manager, Longmont Department of Public Safety, Edward McEldowney, Boulder Police and Fire Communications Manager, Steve Silbermann, Communications Director, Boulder County Sheriff's Office Communications Center Manager, and undersigned counsel to BRETSA. Ms. West, Mr. McEldowney and Mr. Silbermann are the managers of PSAPs supported by BRETSA.

The purpose of the meeting was to discuss a number of topics raised in the November 19th Notice of Proposed Rulemaking in the above referenced Docket, FCC 15-154. These included WEA message length and how to address different CMRS technologies currently deployed have different message length capabilities, inclusion of URLs and phone numbers in WEA messages, solutions and experience with multilingual messaging, WEA testing and whether it would be valuable for outreach to and testing of messaging with non-English speaking communities, value of crowdsourced feedback, utility of alert logging and reporting, and capability and benefits of preservation of WEA messages in user devices for future reference. Also discussed was the need for PSAPs to be notified of the trans-

mission in their jurisdictions of WEA alerts initiated by third-parties, and the improved availability and utility of WEA which could be achieved by integration with commercial messaging solutions such as ENS. Finally, BRETSA discussed the proposal for creation of an additional class of WEA messaging of "Emergency Government Information."

BRETSA supports increased message lengths for WEA messages, but the method of handling transmission of longer messages to devices which can only receive messages of 90-characters in length involves a choice of the least-worst option. BRETSA believes individuals receiving up to four messages, 90-characters in length, could understand the information conveyed even if received out-of-order. However it would be preferable if the WEA system which automatically separated longer messages into messages meeting the 90-character limit also identified the number and order of messages such as "1 of 3," "2 of 3," etc. This would allow recipients to confirm that they had received all message parts and to more easily read them in order.

BRETSA generally supports the ability to include URL's and phone numbers in WEA messages. However BRETSA noted that when public emergencies occur which warrant use of public alerting systems such as ENS or WEA, call volumes and dispatch activity frequently overwhelm the current staffing, and there is a delay in bringing in additional staff and activation of the Office of Emergency Management.[1] As a result, resources would generally be unavailable to upload information to a website in time to include the URL in public alert messaging. Inclusion of URL's and phone numbers could divert some phone calls to 9-1-1 in response to public alert messaging. But BRETSA's consistent experience with ENS has been that people who receive ENS messages fall into three groups: (i) people who understand the message immediately, know how to find additional information on their own and take appropriate action, (ii) people who will call 9-1-1 seeking additional information no matter how descriptive the message is, and (iii) people who will ignore the message. BRETSA believes the chances of the latter two groups changing their behavior based on message length or inclusion of URLs or other telephone numbers is "slim-to-none."

Inclusion of URLs and phone numbers in public alerts would be more feasible and useful with events such as large wildfires which continue for several days or longer, when public safety agency public information officers have time to engage in proactive messaging campaigns, and assist in establishing web pag-

[1] The BRETSA PSAPs share hosted phone and CAD systems, so that overflow calls from a PSAP roll to other BRETSA PSAPs. However the volume of calls generated by an incident and in response to ENS (or WEA messages) can overwhelm the combined PSAP staffs, and some incidents such as wildfires and floods which have occurred in recent years affect all of the BRETSA-supported PSAPs.

es, twitter feeds, and other means of providing current status and general, but usually non-emergent information.

With respect to multilingual messaging, BRETSA's representatives advised that their experience with "machine-based translation" is that even text-to-speech engines translating *English* language text to speech can provide inaccurate pronunciations and be confused by punctuation, so that BRETSA's preferred method of sending ENS messages is to make an audio recording for ENS voice messaging. BRETSA does not always have foreign-language speakers on duty in a PSAP to record foreign language messaging, and for example, while Boulder County has a Hmong population, no dispatchers speak Hmong. The time required to prepare language translations would impermissibly delay transmission of ENS or WEA messages, and providing different language messages serially within an ENS message would increase the time to launch the notification, the time for delivery of each message, and the time required to deliver all messages. With WEA, it would eliminate the improvements in message quality enabled by the proposed increases in message length.

In response to a suggestion that the WEA system could include multilingual translations of key words or phrases such as "fire" or "flood," BRETSA stated that the proposal would provide non-English speakers with those words out of context, cause panic, and be like yelling "fire" in a crowded theater. BRETSA noted that a presentation was made to the Colorado 9-1-1 Task Force of the potential with NG9-1-1 that in entering user preferences into a wireless phone, end users could enter their language preferences (or information regarding communications disabilities). The context was that when the user placed a 9-1-1 call, the language preference could be transmitted with the call so that an interpreter for that specific language could be conferenced into the call during call set-up.[2] BRETSA lacks confidence in language translation programs available today. But with the deployment of NG9-1-1, phones in which users can indicate their language preference, and improvements in translation programs or Apps that can be expected over time, we can anticipate a future solution to the ENS/WEA non-English speaker challenge. However practical solutions are just not feasible at this time. There are also concerns with potential liability for incorrect translations that BRETSA believes may dissuade companies from developing translation applications for public safety applications.

[2] BRETSA provided the context that while it has access to Language Line services for translation of 9-1-1 calls from non-English speakers, there are delays in recognizing that there is a language issue, getting Language Line services conferenced-into the call, determining what language the caller is speaking, and getting the appropriate translator on the line. Because Language Line supports PSAPs and other customers nationwide, there is sometimes a wait for a translator for a specific language to become available.

BRETSA stated that if WEA testing for outreach to non-English speaking communities and testing messaging with them would be beneficial, BRETSA would have done such testing with ENS. BRETSA does not support testing for this purpose, or generally. Use of emergency alerting systems such as ENS and WEA outside of true public safety emergencies results in the "boy-who-cried-wolf syndrome" of people disregarding emergency messaging. There is even anecdotal evidence of people un-registering their cell-phones for ENS service after receiving county-wide WEA weather alerts that did not pertain to their location. BRETSA opined that the costs of recruiting people to agree to receive test messages would not be worth the expense, and could also inure *them* to the messages so that they would not pay attention in true emergencies. During the meeting, BRETSA pointed out that it transmitted over 80 ENS alerts during the 2013 floods that have been described as a "one-thousand year flood," which may vitiate the importance of testing.

BRETSA was similarly suspect of the utility of crowdsourced feedback. In an emergency, PSAPs are overwhelmed with 9-1-1 calls, dispatch radio traffic, additional information which may be coming in, and would not have the resources to timely respond to, or evaluate and use the feedback provided. BRETSA would be concerned that the ability to provide feedback, or communicate back to the PSAP, would create public expectations that the feedback messaging would be read in real time, when it would not be. Even if reviewing feedback were feasible, non-public safety professionals would not likely understand what information is important, and information provided may not be sufficiently reliable. The community feedback/crowdsourced information for emergency assessment or reporting is very different than when a dispatcher is speaking to an caller, asking them questions, and directing them to provide information which is pertinent to Emergency Response. BRETSA would not limit the availability of such a feature to other public safety agencies or PSAPs, but it would not likely use it.

With respect to alert-logging; it might be useful for after-action analysis if WEA provided information as to the number of people who read a WEA message and perhaps their location. BRETSA's ENS service allows people to manually respond that they have received an ENS message, but BRETSA believes that fewer than 10% of people who receive a message timely indicate that they have received it. In the context of a WEA message, communication back to the PSAP/sender that a message had been opened would not necessarily indicate that a person read the full message or understood it. BRETSA does not believe real-time review of the number of people who opened the message would be feasible given the demands on and priorities of a PSAP in an emergency, or that it would be particularly useful. BRETSA would not limit the availability of such a feature to other public safety agencies or PSAPs, but it would not likely use it.

BRETSA understands that the ability to refer back to a previously sent and viewed WEA message is device-dependent. This would likely be beneficial. If devices are not capable of displaying previous WEA messages, perhaps the allowance of URLs in messages would allow end-users to access previous messages as well as additional information. Conversely, if people are unable to retrieve previously read WEA messages, the benefit of including URLs or telephone numbers may be limited.

With respect to creation of an additional class of permitted WEA messaging for Emergency Government Information, BRETSA stated that during the 2013 floods, it used its ENS system to provide "Boil Water" advisories while it was also using ENS to provide evacuation notices and warn people to climb to higher ground. This caused confusion, and resulted in a decision not to use ENS for such secondary, non-emergent messaging. However BRETSA would not prohibit other public safety entities which may have different experiences, or be in a different context, from using the service for such purposes. BRETSA did not believe it was necessary to add additional categories of use, because most PSAPs will use the service in situations they deem to be emergencies, and avoid using WEA for non-emergent purposes to avoid end-users disregarding emergency messages or opting out of the system.

BRETSA has not sought authority to locally initiate WEA alerts, having concluded that the service does not provide adequate geographic targeting and the process of initiating a WEA alert is too cumbersome and slow to be useful, particularly in comparison to the commercial ENS service to which BRETSA subscribes. Representatives of BRETSA have spoken with representatives of jurisdictions which have gone through the process to be authorized to use WEA, and have completed the required training, yet have never locally initiated a WEA alert for the same reasons. BRETSA believes that if WEA were integrated into commercially available ENS and other alerting systems so that the same program interface could be used to launch both ENS and WEA alerts, the service would be much more usable. PSAP personnel are already required to be familiar with a large number of systems and program interfaces, and requiring them to learn an additional interface is an unnecessary obstacle to use of the WEA system. Other commenters have spoken in terms of the API for WEA being made available to ENS and other messaging providers, and BRETSA would support this. There should be no requirements for approval by state or federal agencies for a public safety entity to use WEA within its jurisdiction, as this can only delay critical messaging.

WEA is also not generally useful unless message delivery can be more narrowly geo-targeted. BRETSA described the situation in which there are a number

of canyons in Boulder County. There may be a storm in the watershed for one canyon raising the threat of flash flooding, but WEA weather service alerts issue flash flood warnings across the entire county and all of the canyons, including those under blue skies. This causes unnecessary concern and panic, while at the same time causing others who may be in harm's way to dismiss the notices, opt out of them, or turn off their phones to silence the alerts. It also results in calls to the PSAPs from residents of all the canyons.

This leads to the last topic BRETSA discussed, that PSAPs are not notified of WEA alerts which they do not initiate. PSAPs only become aware of such alerts if PSAP policy allows personnel to have their personal phones on the dispatch floor, or when they get 9-1-1 calls from people asking about the WEA alert, wanting more information and to know what they should do. BRETSA suggested that with current GIS data and geo-fencing of PSAP jurisdictions for call-routing and other E9-1-1 and NG9-1-1 purposes, additional programming should be added to the WEA system to recognize when WEA messaging will be transmitted to areas within a jurisdiction, and automatically transmit a notification that a WEA message is being sent and the content of the message. These notifications of broadcast of WEA notifications within a PSAP's jurisdiction could be transmitted to the PSAP via e-mail, the secure network connections between PSAPs and their respective state bureau of investigation and the FBI, the relatively new ASAP system, or other means at the PSAPs option.

Please direct any questions regarding this matter to undersigned counsel.

Very truly yours,

Joseph P. Benkert

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